

10/534268

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

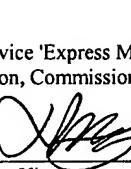
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| Applicant: | Babarina, et al. | Express Mail Label No. | EL789905857US |
| Serial No.: | Unassigned | Group Art Unit: | Unassigned |
| Filed: | May 6, 2005 | Docket No. | 14836-49926 |
| Title: | MEDIUM AND METHOD FOR MEASURING THE EFFICACY OF A TUMOUR THERAPY | | |

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL789905857US

Date of Deposit: May 6, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail' Post Office To Addressee's service under 37 CFR 1.10 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: Tim Tingkang Xia

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 24728

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Information Disclosure Statement List are brought to the attention of the Examiner.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each non-U.S. patent document or other information listed on the enclosed Information Disclosure Statement List is provided herewith, if applicable.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

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reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Information Disclosure Statement List, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP



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Date Mailed: May 5, 2005

Sheet 1 of 1

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| INFORMATION DISCLOSURE STATEMENT LIST IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 14836-49926 | Serial Number: 10/534268 Unassigned |
| | Applicant: Babarina, et al. | Express Mail.: EL789905857US |
| | Filing Date: May 6, 2005 | Group Art Unit: Unassigned |

| U.S. PATENT DOCUMENTS | | | | | | | |
|--|---|---|------------|----------------|-------|----------|----------------------------|
| EXAMINER INITIAL | | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | | | | | | | |
| 1 | | 6,221,873 | 04/24/2001 | Hajduch et al. | | | |
| 2 | | 6,452,028 | 09/17/2002 | Batcho, et al | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
| | 3 | Metzger, R., et al., "Towards in vitro prediction of an in vivo cytostatic response of human tumor cells with a fast chemosensitivity assay"; Toxicology, Limerick, Ireland, vol. 166, 14 September 2001, pages 97 – 108. | | | | | |
| | 4 | Hafner, Frank, "Cytosensor (R) Microphysiometer: Technology and recent applications"; Biosensors & Bioelectronics, Elsevier Science Publishers, Barking, Great Britain, vol. 15, no. 3-4, June 2000, pages 149-158. | | | | | |
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| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |